

Request for Reconsideration:

Applicants are amending claims 1, 5, 8, and 12, and canceling claim 11 merely to clarify the claimed invention. No new matter is added by the foregoing amendments, and these amendments are fully supported by the specification. Accordingly, claims 1, 3-10, and 12 are currently pending in the present application. Applicants respectfully request that the Examiner enter the foregoing amendments and reconsider the above-captioned patent application in view of the foregoing amendments and the following remarks.

Remarks:

1. Rejections.

Claims 1, 3-10, and 12 stand rejected under 35 U.S.C. § 103(a), as allegedly being rendered obvious by U.S. Patent No. 5,993,070 to Tamekuni et al. ("Takekuni") in view of U.S. Patent No. 6,296,398 to Lu et al. ("Lu") and further in view of U.S. Patent No. 6,676,299 to Durrant et al. ("Durrant"). Applicants respectfully disagree.

2. Obviousness Rejections.

Claims 1, 3-10, and 12 stand rejected as allegedly being rendered obvious by U.S. Tamekuni in view Lu and further in view of Durrant. In order to establish a *prima facie* case for obviousness, the Office Action must fulfill three (3) criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to those of ordinary skill in the art, to modify the primary reference as proposed by the Office Action. Second, there must be a reasonable expectation of success. Third, the prior art references must disclose or suggest all the claim limitations. MPEP 2143. In view of the foregoing amendments and the following remarks, Applicants maintain that the Office Action fails to establish a *prima facie* case of obviousness with respect to claims 1, 3-10, and 12.

a. Claims 1 and 12.

Applicants' independent claims 1 and 12 describe that the short fiber portion (1) has a polymer layer on its outer peripheral surface to have a higher breakage resistance than the long fiber portion; and (2) is bent in a connected state of the optical connector by the second optical fiber (claim 1) or the connection object (claim 12) and that the short fiber portion is brought into contact with the second optical fiber or the connection object by the resilient force of the short fiber portion. Support for these features may be found in Applicants' specification at, for example, paragraphs 0024 and 0032, as well as **Fig. 4**, of the published application.

Tamekuni describes "a coating for reinforcing the short optical fiber may be employed" to prevent "static fatigue properties." See Tamekuni, Column 8, Lines 42-45. Further, "[t]he coating may be a metal coating, a carbon coating, or the like." See Tamekuni, Column 8, Lines 45-46. Nevertheless, Tamekuni fails to disclose that the short fiber "is brought into contact" with a second fiber or a connection object by the "resilient force" of the short fiber. Rather, the short fiber of Tamekuni is disposed within a ferrule (1) having a mirror-polished

front-end 1a that can be perpendicular or oblique to the axis of the optical fiber. See Tamekuni, Column 5, Lines 34-39.; **Fig. 1.**) Tamekuni also states that alternatively a conventional physical contact coupling may be used with a spheric working process. See Tamekuni, Column 5, Lines 39-41.

In contrast, the short fiber portion of the invention, which is covered by a polymer layer on its outer peripheral surface, is bent by the second optical fiber or the connection object in the connected state, as shown in, for example, **Fig. 4**. Moreover, the short fiber portion is “brought into strong physical contact” with the second optical fiber or the connection object due to the “restoring force” produced by the being of the short fiber portion. See Appl’n (as published), Para. [0024]. Therefore, Applicants respectfully submit that Tamekuni fails to disclose at least this feature of the invention.

Moreover, the secondary references cited in the Office Action do not overcome the aforementioned deficiencies of Tamekuni. Accordingly, the Office Action fails to establish a *prima facie* case of obviousness because the references cited by the Examiner, whether taken alone or in combination, fail to disclose each and every feature of the claimed invention as a whole. Therefore, Applicants respectfully request that the Examiner withdraw the obviousness rejections of claims 1 and 12.

b. Claims 3-10.

Claims 3-10 depend from allowable, independent claim 1. MPEP 2143.03 states that “[i]f an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” Therefore, Applicants respectfully request that the Examiner also withdraw the obviousness rejections of claims 3-10.

3. Other Matters

Applicants are amending claims 5 and 8 to correct errors of syntax and these amendments are not made for reasons related to patentability nor do these amendments otherwise narrow the scope of these claims. In addition, claim 11 was canceled because its features were incorporated into allowable claim 1. These changes to claims 5, 8, and 11 were made to correct certain informalities and should not be construed as a surrender of subject matter by the Applicants.

Conclusion:

Applicants maintain that the above-captioned patent application, as amended, now is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution of this application may be furthered by discussing the application, in person or by telephone, with Applicants' representative, we would welcome the opportunity to do so. Applicants believe that no fees are due as a result of this responsive amendment. Nevertheless, in the event of any variance between the fees determined by Applicants and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 02-0375..


Respectfully submitted,
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